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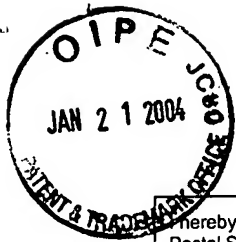
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I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as Express Mail, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313, on the date shown below.

Dated: January 20, 2004

Signature: *[Handwritten Signature]*

7171-114/10211962  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Lionell K. Griffith

Application No.: 10/712956

Group Art Unit: N/A

Filed: November 12, 2003

Examiner: Not Yet Assigned

For: RAY TRACING KERNEL CALIBRATION

**PETITION TO CORRECT FILING DATE**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully submits a Petition to Correct Filing Date.

On November 12, 2003, my secretary Jean Bové, prepared for filing by Express Mail the above-identified patent application that required a filing date of November 13, 2003. She placed the Express Mail envelope in the Fulbright & Jaworski mail room, which is operated by Xerox Corporation. Express Mail is picked up each day by the United States Post Office at that location. It was logged in by Rick A. Persaud on November 12, 2003, along with four other Express Mail envelopes to be mailed that day. It was picked up by the usual U. S. Postal employee, Joe Aramda on November 12, 2003 and signed for by him in the presence of Mr. Persaud; see **Exhibit A** attached.

The return receipt post card was received by Jean Bové on December 2, 2003, copy enclosed as **Exhibit B**. Upon inspection of the post card she checked the file and noted it was mailed on November 12, 2003. The Express Mail Receipt showed date in as "11-14-03" which was incorrect. She obtained a copy of the United States Postal Service Pickup Statement and noted that her Express Mail was indeed picked up on November 12, 2003, along with four other Express Mail envelopes, by Joe Aranda. Ms. Bové then checked the status on-line of the Express Mail through Track & Confirm. This Express Mail item was picked up on November 12, 2003 stated it was delivered on November 14, 2003 to the PTO; a copy is enclosed as **Exhibit C**.

Express Mail Receipt for EV324745571US, copy attached as **Exhibit D**, states that the above-identified application, was received November 14, 2003 by the PTO, and the U.S. Postal Service Tracking Receipt, **Exhibit C**, states it was received on 11/14/03, but the application was actually picked up by the U. S. Postal Service on November 12, 2003.

Attached is a letter, **Exhibit E**, signed by B. Davis, Administrative Associate of the United States Postal Service stating that the Postal Service is responsible for the error.

All five envelopes were picked up on November 12, 2003 by U. S. Postal Service employee, Joe Aranda, and should receive the November 12, 2003 filing date. The circumstances surrounding this incident were clearly not the fault of applicant. The above-identified application was based on a provisional application which was filed on November 13, 2002 and it is critical that it receive the proper filing date which is 11/12/03.

Applicant fully complied with the Patent and Trademark Office Rules of Practice in filing this application. Applicant respectfully requests that this Petition be granted and the correct filing date of November 12, 2003 be accorded to this application.

A Declaration by my secretary, Jean Bové, is attached hereto as **Exhibit F**.

The Commissioner is hereby authorized to charge the Petition Fee of \$130.00 to our Deposit Account No. 50-0337, under Order No. 7171-114. If any other fees are required or any overpayment is made please charge or credit Deposit Account No. 50-0337. A duplicate copy of

this paper is enclosed.

Dated: January 20, 2004

Respectfully submitted,

By 

Robert Berliner

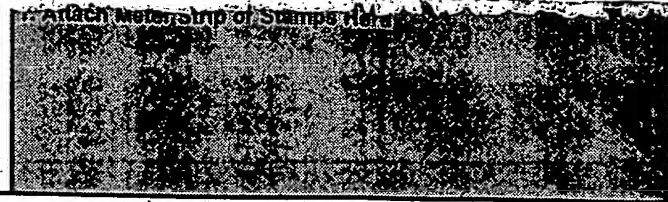
Registration No.: 20,121

Attorneys for Applicant

FULBRIGHT & JAWORSKI L.L.P.  
865 South Figueroa Street, 29<sup>th</sup> Floor  
Los Angeles, CA 90017-2571  
(213) 892-9200  
(213) 680-4518 (Fax)



United States Postal Service  
**Pickup Service Statement for**  
**Express Mail, Priority Mail, or Parcel Post**



2. Customer Name and Address (No., Street, Ste. No., City, and State)

3.

*Handwritten: \$ 8.5*

Express Mail

Quantity

Priority Mail

Quantity

Parcel Post

Quantity

4. Custom Design Agreement (CDA)

5. Method of Payment

CDA Number

☒ Corporate Account

No.

☐ Federal Agency Account

No.

☒ Meter Strip or Stamps

(Apply fee in item 1 above)

**6. Express Mail Label Numbers**

Item N	Express Mail Label Number	Item No.	Express Mail Label Number	Item No.	Express Mail Label Number
1	EV323596876	6		11	
2	EV323596195	7		12	
3	EV324745571	8		13	
4	EV323596213	9		14	
5	EV324745545	10		15	

7. Customer Signature

8a. USPS Signature

8b. Date of Pickup

8c. Time of Pickup

Atty Docket No.: LA-7171-114.US.US

Reference: 10211962

Inventor: Lionell K. Griffith

Application No.: Not Yet Assigned

Filing Date: Nov. 12, 2003

Title: RAY TRACING KERNEL CALIBRATION

**Documents Filed:**

Specification (54 pages)

17 ~~drawings~~ (7 sheets)

Oath or declaration (4 pages)

Utility Patent Application Transmittal (1 page)

Fee Transmittal (1 page)

Assignment & Separate Cover Sheet

Charge \$385.00 to deposit account 50-0337

EV324745571US

03917 U.S. PTO  
10/712956



Via: Express Mail: Airbill No. EV324745571US

Sender's Initials: RB/jb

Date: November 12, 2003



## Track & Confirm

### Current Status

You entered EV32 3596 876U S

Your item was delivered at 9:33 am on November 14, 2003 in ALEXANDRIA, VA 22313 to PATENT OFFICE. The item was signed for by J STECKEL.

[Shipment Details >](#)

### Notification Options

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## Track & Confirm

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## Track & Confirm

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You entered EV32 4745 571U S

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EV 324745571 US

**EXPRESS MAIL**

UNITED STATES POSTAL SERVICE®

**Customer Copy****Post Office To Addressee****ORIGIN (POSTAL USE ONLY)**

PO ZIP Code <b>90080</b>	Day of Delivery <input type="checkbox"/> Next <input checked="" type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>
Date in Month Year <b>11 14 03</b>	<input type="checkbox"/> 12 Noon <input checked="" type="checkbox"/> 3 PM	Postage <b>\$ 1.78</b>
Time In <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM <b>0200</b>	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee <input type="checkbox"/>
Weight <b>9</b> lbs.	Int'l Alpha Country Code <b>9</b>	CGD Fee <input type="checkbox"/> Insurance Fee <input type="checkbox"/>
No Delivery <input type="checkbox"/> Daytime <input type="checkbox"/> Evening	Acceptance Clerk Initials <b>AS</b>	Total Postage <b>\$ 1.78</b>

**DELIVERY (POSTAL USE ONLY)**

Delivery Attempt Mo. Day <b>11 14</b>	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Delivery Attempt Mo. Day <b>11 14</b>	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Delivery Date Mo. Day <b>11 14</b>	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		

**CUSTOMER USE ONLY**METHOD OF PAYMENT: Express Mail Corporate Acct. No. **X900198**

Federal Agency Acct. No. or Postal Service Acct. No.

FROM: (PLEASE PRINT) **KB09731**  
PHONE **213 982 9200**  
**FULBRIGHT & JAWORSKI**  
**865 S FIGUEROA ST STE 2900**  
**LOS ANGELES CA 90017-2576**

TO: (PLEASE PRINT) **Patent Application**  
**MAIL STOP**  
**COMMISSIONER FOR PATENTS**  
**PO BOX 1450**  
**ALEXANDRIA VA 22313-1450**

**7171-114/10211962**

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LOS ANGELES, CA 90052-9601  
213 586 2936



12/10/03

Commissioner for Patents  
BOX 1430  
Alexandria Va 22313-1450

To Whom It May Concern:

On 11/12/03 the United States Postal Service accepted Express Mail Articles EV324745571US from our customer, Fulbright & Jaworski via our "on call pickup service". I do not have personal knowledge of the receipt of this articles or its processing. However, it has occurred in the past that Express Mail articles picked up by a postal employee at the mailers' address are not immediately signed in, dated and scanned as accepted at the mailers site but transported to the Postal Service processing unit. In this case the date and time (11/14/03, 02:00) that the Postal employee is processing the Express Mail article is recorded as the "ACCEPTANCE DATE AND TIME".

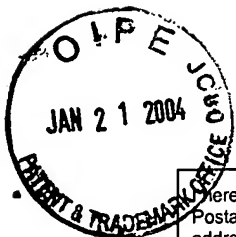
Although we picked up the Express Mail articles on 11/12/03 at 17:30 after the cutoff time for guaranteed next day delivery, regrettably we did not process these articles until 11/14/03 at 02:00. Clearly the Postal Service is responsible for this unfortunate delay and not the sender.

Please accept our apology for any trouble or inconvenience caused by the Postal Service's delay of these Express Mail articles. We regret the delay and request and hope that you will not penalize the sender for our delay of the Express Mail articles.

Sincerely,

A handwritten signature in cursive script that reads "B. Davis".

B. Davis, Administrative Associate



Docket No.: 7171-114

Hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as Express Mail, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313, on the date shown below.

Dated: December \_\_, 2003

Signature: \_\_\_\_\_

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of:  
Lionell K. Griffith

Application No.: 10/712956

Group Art Unit: N/A

Filed: November 12, 2003

Examiner: Not Yet Assigned

For: RAY TRACING KERNEL CALIBRATION

### DECLARATION OF JEAN BOVE'

I, Jean Bové, hereby state that I am employed by Fulbright & Jaworski LLP as a Legal Secretary in the Intellectual Property Department.

On November 12, 2003, I prepared for filing by Express Mail the above-identified application that required the filing date of November 13, 2003. I placed the Express Mail envelope in the Fulbright & Jaworski mail room, which is operated by Xerox Corporation. Express Mail is picked up each day by the United States Post Office at that location. It was logged in by Rick Persaud on November 12, 2003 (Exhibit A to the Petition) to be mailed that day.

The return receipt post card was received by me on December 2, 2003, copy enclosed as Exhibit B, to the Petition to Correct Filing Date. Upon inspection of the post card I checked the file and noted it was mailed on November 12, 2003. The Express Mail Receipt showed the date in as "11-14-03" which was incorrect. I obtained a copy of the United States Postal Service Pickup Statement from Rick Persaud and noted that Express Mail was indeed picked up on

November 12, 2003 along with four other Express Mail envelopes. I went on-line to check the status of the Express Mail through Track & Confirm Exhibit C to the Petition which stated it was received on November 14, 2003.

I hereby declare that all statements made herein of my own knowledge are true and that all statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: January 20, 2004



Jean Bove